

with no falling-out in their relationship. In the fall of 1994 Eckstein, who was a member of Pomona College's Board of Trustees, nominated Babbitt to receive an honorary degree at the College's 1995 commencement. In February 1995, Eckstein called and wrote Babbitt to confirm that the Secretary had received the offer letter from the College President and would accept the honor at the planned May 14 ceremony.

It was against this background that the applicants contacted Eckstein and sought his assistance in the Hudson matter. Mark Goff instigated this effort, apparently on his own initiative, in the fall of 1994. At the time, the applicants were awaiting the outcome of the Area Office review, and Goff felt it might be wise to explore engagement of a lobbyist who would be able to navigate the highest offices of the Interior Department. Goff cannot recall who referred him to Eckstein.

Eckstein had engaged in both state and federal lobbying over the years, but that form of practice was not his specialty, and he did not promote it as such. He had represented Indian nations in various matters, including land-in-trust applications at the Interior Department and one Indian gaming matter, but he had never handled an off-reservation casino application under IGRA. His legal expertise and distinction was in the area of litigation, and particularly First Amendment issues. On Nov. 14, 1994, in his first meeting with Goff, Eckstein asked why the applicants felt that they needed him, and expressed something between reluctance and caution, due to his familiarity with Bruce Babbitt. Eckstein suggested that his involvement might actually